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Title of Document Transmitted:	TRANSMITTAL SHEETS AND BRIEF OF APPELLANT
Applicant:	Brian J. Wasserman
Serial No.:	10/016,779
Filed:	December 10, 2001
Group Art Unit:	3627
Title:	PARALLEL SELECTION PROCESSING FOR FINANCIAL PROCESSING IN A RELATIONAL DATABASE MANAGEMENT SYSTEM
Our Ref. No.:	9620

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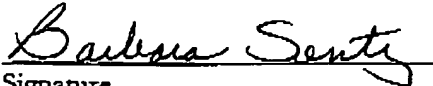
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G&C 30145.416-US-01

Due Date: August 8, 2005

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

Applicant:	Brian J. Wasserman	Examiner:	Andrew J. Rudy
Serial No.:	10/016,779	Group Art Unit:	3627
Filed:	December 10, 2001	Docket:	9620
Title:	PARALLEL SELECTION PROCESSING FOR FINANCIAL PROCESSING IN A RELATIONAL DATABASE MANAGEMENT SYSTEM		

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By:

Name: George H. Gates

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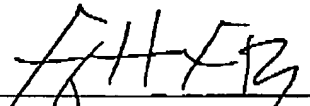Commissioner for Patents
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Dear Sir:

We are transmitting herewith the attached:

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☒ Brief of Appellant(s).
☒ Charge the Fee for the Brief of Appellant(s) in the amount of $500.00 to the Deposit Account.

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Please charge all fees to Deposit Account No. 14-0225 of NCR Corporation (the assignee of the present application). A duplicate of this paper is enclosed.

<u>Customer Number 22462</u>

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By:

Name: George H. Gates
Reg. No.: 33,500
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G&C 30145.416-US-01

Due Date: August 8, 2005

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE
BEFORE THE BOARD OF PATENT APPEALS AND INTERFERENCES

In re Application of:)	
)	
Inventor: Brian J. Wasserman)	Examiner: Andrew J. Rudy
)	
Serial #: 10/016,779)	Group Art Unit: 3627
)	
Filed: December 10, 2001)	Appeal No.: _____
)	
Title: PARALLEL SELECTION PROCESSING)	
FOR FINANCIAL PROCESSING IN A)	
RELATIONAL DATABASE)	
MANAGEMENT SYSTEM)	

BRIEF OF APPELLANT

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MAIL STOP APPEAL BRIEF - PATENTS
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Dear Sir:

In accordance with 37 CFR §41.37, Appellant's attorney hereby submits the Brief of Appellant on appeal from the final rejection in the above-identified application as set forth in the Office Action dated March 8, 2005.

Please charge the amount of $500.00 to cover the required fee for filing this Brief as set forth under 37 CFR §41.20(b)(2) to Deposit Account No. 14-0225 of NCR Corporation, the assignee of the present application. Also, please charge any additional fees or credit any overpayments to Deposit Account No. 14-0225.

I. REAL PARTY IN INTEREST

The real party in interest is NCR Corporation, the assignee of the present application.

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II. RELATED APPEALS AND INTERFERENCES

There are related appeals in the following co-pending and commonly-assigned patent applications:

Application Serial No. 10/016,452, filed on December 10, 2001, by Brian J. Wasserman et al., entitled DYNAMIC EVENT SELECTION FOR FINANCIAL PROCESSING IN A RELATIONAL DATABASE MANAGEMENT SYSTEM, attorney's docket number 9618 (30145.419US01);

Application Serial No. 09/943,059, filed on August 21, 2001, by Paul H. Phibbs, Jr., entitled ALLOCATED BALANCES IN A NET INTEREST REVENUE IMPLEMENTATION FOR FINANCIAL PROCESSING IN A RELATIONAL DATABASE MANAGEMENT SYSTEM, attorney's docket number 9512 (30145.405USU1);

Application Serial No. 09/608,355, filed on June 29, 2000, by George R. Hood et al., entitled ADVANCED AND BREAKTHROUGH NET INTEREST REVENUE IMPLEMENTATION FOR FINANCIAL PROCESSING IN A RELATIONAL DATABASE MANAGEMENT SYSTEM, attorney's docket number 9006 (30145.401US01);

Application Serial No. 09/610,646, filed on June 29, 2000, by George R. Hood et al., entitled BASIC AND INTERMEDIATE NET INTEREST REVENUE IMPLEMENTATIONS FOR FINANCIAL PROCESSING IN A RELATIONAL DATABASE MANAGEMENT SYSTEM, attorney's docket number 8980 (30145.397US01);

Application Serial No. 09/608,682, filed on June 29, 2000, by George R. Hood, entitled RISK PROVISION IMPLEMENTATION FOR FINANCIAL PROCESSING IN A RELATIONAL DATABASE MANAGEMENT SYSTEM, attorney's docket number 9011 (30145.392US01); and

Application Serial No. 09/608,681, filed on June 29, 2000, by George R. Hood et al., entitled OTHER REVENUE IMPLEMENTATION FOR FINANCIAL PROCESSING IN A RELATIONAL DATABASE MANAGEMENT SYSTEM, attorney's docket number 9015 (30145.391US01).

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III. STATUS OF CLAIMS

Claims 1-45 are pending in the application.

Claims 16-45 have been withdrawn.

Claims 1-15 were rejected under 35 U.S.C. §103(a) as being unpatentable in view of "College Accounting, Seventh Edition," to Price.

Claims 1-15 are being appealed.

IV. STATUS OF AMENDMENTS

No amendments have been made subsequent to the final Office Action.

V. SUMMARY OF THE INVENTION

Appellant's invention, as recited in independent claim 1, is generally directed to a method for performing financial processing in a computer. The method of claim 1 selects accounts and events from a database through parallel processing of a selector function, wherein the selector function uses one or more selection criteria to determine which accounts and events should be selected from the database. The method of claim 1 then performs one or more profitability calculations in the computer using attributes of the accounts and events selected from the database.

With regard to the claims, Appellant's attorney requests that the Board refer to the specification generally. Specific portions of the specification that directly relate to the claims on appeal include:

(a) at page 4, lines 16-22;

(b) at page 6, line 11 through page 7, line 10, and in FIG. 1 as reference number 106;

(c) at page 8, line 2 through page 12, line 8, and in FIG. 2 as reference numbers 200-214;

(d) at page 12, line 11 through page 18, line 14, and in FIG. 3 as reference numbers 300-302, 202, 204 and 112A-E; and

(e) at page 18, line 21 through page 20, line 3, and in FIG. 4 as reference numbers 400-426.

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VI. GROUNDS OF REJECTION TO BE REVIEWED ON APPEAL

1. Whether claims 1-15 are obvious under 35 U.S.C. §103(a) over Price et al., "College Accounting, Seventh Edition," (Price) in view of Official Notice.

VII. ARGUMENTS

A. The Office Action Rejections

In paragraph (2) of the Office Action, claims 1-15 were rejected under 35 U.S.C. §103(a) as being unpatentable over Price et al., "College Accounting, Seventh Edition," (Price) in view of Official Notice.

Appellant's attorney respectfully traverses these rejections.

B. Appellant's Independent Claims

As noted above, Appellant's independent claim 1 is generally directed to a method of performing financial processing in a computer. The method of claim 1 comprises the steps of:

(a) selecting accounts and events from a database through parallel processing of a selector function, wherein the selector function uses one or more selection criteria to determine which accounts and events should be selected from the database; and

(b) performing one or more profitability calculations in the computer using attributes of the accounts and events selected from the database.

C. The Price Reference

Price is a college accounting textbook that describes accounting concepts and principles. The portions cited describe analyzing business transactions including the accounting cycle, accounting for assets and liabilities including accounts receivable and uncollectible accounts, and responsibility and cost accounting including departmentalized profit and cost centers.

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D.   Arguments Directed To The First Grounds for Rejection: Whether Claims 1-15

      Are Obvious Under 35 U.S.C. §103(a) Over Price In View Of Official Notice.

      1.   Claim 1

The Appellant's invention, as recited in independent claim 1 is patentable over the

reference, because it contains limitations not taught by the reference. Specifically, the reference

does not teach or suggest the specific combination of limitations found in Appellant's

independent claim 1.

The Office Action, however, asserts the following:

> 2.   Claims 1-15 are rejected under 35 U.S.C. 103(a) as being
> unpatentable over Price in view of Official Notice.
> Applicant is directed towards the previous Office Action mailed May 3,
> 2004. Appellant's August 2, 2004 REMARKS have been reviewed, but are not
> convincing. The selector function is fully encompassed by the Official Notice
> given in the previous Office Action. That is "performing financial processing
> using computer software is common knowledge in the art" includes a selector
> function performing parallel processing of selection criteria and processing rules.
> Applicant does not traverse the Official Notice. Thus, Applicant admits it. It is
> noted that Applicant does not directly point out patentable features directed
> towards claims 1-15 in the December 9, 2004 reply.
> The term "selector function" is extremely broad is scope and content and
> does not obviate the combination reference. Likewise, the selection criteria,
> events, accounts and screening rules referenced by Applicant provide no line of
> demarcation over the elements disclosed by Price, in view of Official Notice.

The previous Office Action mailed May 3, 2004 asserted the following:

> Claims 1-45 are rejected under 35 U.S.C. 103(a) as being unpatentable
> over Price et al. "College Accounting, Seventh Edition" (hereafter "Price")
> Price discloses event attributes, e.g. pgs 28-41, 529,531, 966-982 (Fig. 27-
> 5), a method measuring profit based on the factors of net interest revenue, other
> revenues (Fig. 27-5, line 4, "Operating Revenues"), direct expenses (Fig. 27-5,
> line 22, "Direct Expenses"), indirect expenses (Fig. 27-5, line 30, "Indirect
> Expenses"), and risk (Fig. 27-5, line 6, "Less Sales Returns and Allowances"), all
> set up to take advantage of flexible business rules.
> Official Notice is taken that performing financial processing using
> computer software is common knowledge in the art.
> To have provided a method of performing profitability calculations using
> attributes of account and events using software for a computer measuring profit

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based on the factors of net interest revenue, other revenues, direct expenses, indirect expenses and risk, all set up to take advantage of flexible business rules the business rules to calculate known variations of one of the attribute factors, e.g. product groups, attribute rules, would have been obvious to one of ordinary skill in the art. Doing such would incorporate common knowledge data along with common knowledge software.

Appellant's attorney respectfully disagrees.

Neither Price nor Official Notice (ON) teach or suggest the claimed elements of "selecting accounts and events from a database through parallel processing of a selector function, wherein the selector function uses one or more selection criteria to determine which accounts and events should be selected from the database," and "performing one or more profitability calculations in the computer using attributes of the accounts and events selected from the database."

Instead, Price merely refers generally to accounting systems, but not the selector function elements of Appellant's claims. Indeed, the Office Action itself only generally refers to Price, but does not cite any location in Price for the recited selector function, parallel processing, or selection criteria, because there is nothing in Price that refers to such elements.

Moreover, Official Notice merely states that performing financial processing using computer software is common knowledge in the art. However, notwithstanding the erroneous assertions in the most current Office Action, that the selector function is fully encompassed by the Official Notice given in the previous Office Action, nothing in the Official Notice teaches or suggests a selector function as recited in Applicant's claims.

Appellant's claimed invention provides operational advantages over the system disclosed in Price and the assertions related to the Official Notice. Price reflects an outdated approach to accounting systems, while the Official Notice merely states that performing financial processing using computer software is common knowledge in the art. Appellant's invention, on the other hand, describes financial processing in a computer using account and event data stored in a database, wherein a selector function uses selection criteria to select accounts and events from the database using parallel processing in order to perform profitability calculations. Price and Official Notice, taken together, fail to teach or suggest such financial processing, all of the elements used therein, or the relationships between the various elements.

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Thus, Appellant's attorney submits that the independent claims are allowable over Price. Further, the dependent claims are submitted to be allowable over Price in the same manner, because they are dependent on independent claims, and because they contain all the limitations of the independent claims. In addition, the dependent claims recite additional novel elements not shown by Price.

2.   Claim 2

Claim 2 recites that the selector function performs parallel processing of the selection criteria, which allows the selector function to optimize the selection of the accounts and events. The Office Action rejects this claim only generally, i.e., on the same basis as the independent claim, without citing any specific location within the reference as teaching these limitations. Appellant's attorney disagrees with this analysis, and submits that nowhere does the reference teach or suggest the limitations of this claim.

3.   Claim 3

Claim 3 recites that the selection criteria are selected from a group comprising: Product Groups, Balance Types, Account Event Groups, Master Account Event Groups, Account Attributes, and Master Account Attributes. The Office Action rejects this claim only generally, i.e., on the same basis as the independent claim, without citing any specific location within the reference as teaching these limitations. Appellant's attorney disagrees with this analysis, and submits that nowhere does the reference teach or suggest the limitations of this claim.

4.   Claim 4

Claim 4 recites that the profitability calculations use one or more rules applied to the attributes, and the performing step (b) further comprises screening the rules to remove the rules that need not be executed. The Office Action rejects this claim only generally, i.e., on the same basis as the independent claim, without citing any specific location within the reference as teaching these limitations. Appellant's attorney disagrees with this analysis, and submits that nowhere does the reference teach or suggest the limitations of this claim.

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5. Claim 5

Claim 5 recites that, if the rule is an apportionment rule, and an apportionment amount is 0, then the rule need not be executed. The Office Action rejects this claim only generally, i.e., on the same basis as the independent claim, without citing any specific location within the reference as teaching these limitations. Appellant's attorney disagrees with this analysis, and submits that nowhere does the reference teach or suggest the limitations of this claim.

6. Claim 6

Claim 6 recites that, if the rule does not have any selection criteria, then the rule need not be executed. The Office Action rejects this claim only generally, i.e., on the same basis as the independent claim, without citing any specific location within the reference as teaching these limitations. Appellant's attorney disagrees with this analysis, and submits that nowhere does the reference teach or suggest the limitations of this claim.

7. Claim 7

Claim 7 recites that if the selection criteria are objectively invalid, then the rule need not be executed. The Office Action rejects this claim only generally, i.e., on the same basis as the independent claim, without citing any specific location within the reference as teaching these limitations. Appellant's attorney disagrees with this analysis, and submits that nowhere does the reference teach or suggest the limitations of this claim.

8. Claim 8

Claim 8 recites that the selector function dynamically generates SQL statements to select the accounts and events from the database using the selection criteria. The Office Action rejects this claim only generally, i.e., on the same basis as the independent claim, without citing any specific location within the reference as teaching these limitations. Appellant's attorney disagrees with this analysis, and submits that nowhere does the reference teach or suggest the limitations of this claim.

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9.   Claim 9

Claim 9 recites that the selector function uses one or more parameterized templates to dynamically generate the SQL statements. The Office Action rejects this claim only generally, i.e., on the same basis as the independent claim, without citing any specific location within the reference as teaching these limitations. Appellant's attorney disagrees with this analysis, and submits that nowhere does the reference teach or suggest the limitations of this claim.

10.   Claim 10

Claim 10 recites that the selection criteria are converted and combined so that they can be expressed in one of the parameterized templates. The Office Action rejects this claim only generally, i.e., on the same basis as the independent claim, without citing any specific location within the reference as teaching these limitations. Appellant's attorney disagrees with this analysis, and submits that nowhere does the reference teach or suggest the limitations of this claim.

11.   Claim 11

Claim 11 recites that one or more relational operators in the selection criteria are converted into an equivalent BETWEEN operation. The Office Action rejects this claim only generally, i.e., on the same basis as the independent claim, without citing any specific location within the reference as teaching these limitations. Appellant's attorney disagrees with this analysis, and submits that nowhere does the reference teach or suggest the limitations of this claim.

12.   Claim 12

Claim 12 recites that a matching pair of first and second selection criteria are converted into a BETWEEN operation. The Office Action rejects this claim only generally, i.e., on the same basis as the independent claim, without citing any specific location within the reference as

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teaching these limitations. Appellant's attorney disagrees with this analysis, and submits that nowhere does the reference teach or suggest the limitations of this claim.

13. Claim 13

Claim 13 recites that the selection criteria are grouped in order to combine them in the dynamically generated SQL statements. The Office Action rejects this claim only generally, i.e., on the same basis as the independent claim, without citing any specific location within the reference as teaching these limitations. Appellant's attorney disagrees with this analysis, and submits that nowhere does the reference teach or suggest the limitations of this claim.

14. Claim 14

Claim 14 recites that the selector function groups a plurality of selection criteria together and processes the grouped selection criteria in parallel to generate a plurality of output tables. The Office Action rejects this claim only generally, i.e., on the same basis as the independent claim, without citing any specific location within the reference as teaching these limitations. Appellant's attorney disagrees with this analysis, and submits that nowhere does the reference teach or suggest the limitations of this claim.

15. Claim 15

Claim 15 recites that the output tables are filtered and combined to produce correct sets of the account and event attributes. The Office Action rejects this claim only generally, i.e., on the same basis as the independent claim, without citing any specific location within the reference as teaching these limitations. Appellant's attorney disagrees with this analysis, and submits that nowhere does the reference teach or suggest the limitations of this claim.

VIII. CONCLUSION

In light of the above arguments, Appellant's attorney respectfully submits that the cited references do not anticipate nor render obvious the claimed invention. More specifically, Appellant's claims recite novel physical features which patentably distinguish over any and all

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references under 35 U.S.C. §§ 102 and 103.

As a result, a decision by the Board of Patent Appeals and Interferences reversing the Examiner and directing allowance of the pending claims in the subject application is respectfully solicited.

Respectfully submitted,

GATES & COOPER LLP
Attorneys for Appellant

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Date: <u>August 8, 2005</u>

By:_____
Name: George H. Gates
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APPENDIX

1. (ORIGINAL) A method of performing financial processing in a computer, comprising:

(a) selecting accounts and events from a database through parallel processing of a selector function, wherein the selector function uses one or more selection criteria to determine which accounts and events should be selected from the database; and

(b) performing one or more profitability calculations in the computer using attributes of the accounts and events selected from the database.

2. (ORIGINAL) The method of claim 1, wherein the selector function performs parallel processing of the selection criteria, which allows the selector function to optimize the selection of the accounts and events.

3. (ORIGINAL) The method of claim 1, wherein the selection criteria are selected from a group comprising: Product Groups, Balance Types, Account Event Groups, Master Account Event Groups, Account Attributes, and Master Account Attributes.

4. (ORIGINAL) The method of claim 1, wherein the profitability calculations use one or more rules applied to the attributes, and the performing step (b) further comprises screening the rules to remove the rules that need not be executed.

5. (ORIGINAL) The method of claim 4, wherein if the rule is an apportionment rule, and an apportionment amount is 0, then the rule need not be executed.

6. (ORIGINAL) The method of claim 4, wherein if the rule does not have any selection criteria, then the rule need not be executed.

7. (ORIGINAL) The method of claim 4, wherein if the selection criteria are objectively invalid, then the rule need not be executed.

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8. (ORIGINAL) The method of claim 1, wherein the selector function dynamically generates SQL statements to select the accounts and events from the database using the selection criteria.

9. (ORIGINAL) The method of claim 8, wherein the selector function uses one or more parameterized templates to dynamically generate the SQL statements.

10. (ORIGINAL) The method of claim 9, wherein the selection criteria are converted and combined so that they can be expressed in one of the parameterized templates.

11. (ORIGINAL) The method of claim 10, wherein one or more relational operators in the selection criteria are converted into an equivalent BETWEEN operation.

12. (ORIGINAL) The method of claim 10, wherein a matching pair of first and second selection criteria are converted into a BETWEEN operation.

13. (ORIGINAL) The method of claim 9, wherein the selection criteria are grouped in order to combine them in the dynamically generated SQL statements.

14. (ORIGINAL) The method of claim 1, wherein the selector function groups a plurality of selection criteria together and processes the grouped selection criteria in parallel to generate a plurality of output tables.

15. (ORIGINAL) The method of claim 14, wherein the output tables are filtered and combined to produce correct sets of the account and event attributes.

16. (WITHDRAWN) A system for financial processing, comprising:
a computer;
    logic, performed by the computer, for:

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(a) selecting accounts and events from a database through parallel processing of a selector function, wherein the selector function uses one or more selection criteria to determine which accounts and events should be selected from the database; and

(b) performing one or more profitability calculations in the computer using attributes of the accounts and events selected from the database.

17. (WITHDRAWN) The system of claim 16, wherein the selector function performs parallel processing of the selection criteria, which allows the selector function to optimize the selection of the accounts and events.

18. (WITHDRAWN) The system of claim 16, wherein the selection criteria are selected from a group comprising: Product Groups, Balance Types, Account Event Groups, Master Account Event Groups, Account Attributes, and Master Account Attributes.

19. (WITHDRAWN) The system of claim 16, wherein the profitability calculations use one or more rules applied to the attributes, and the logic for performing (b) further comprises logic for screening the rules to remove the rules that need not be executed.

20. (WITHDRAWN) The system of claim 19, wherein if the rule is an apportionment rule, and an apportionment amount is 0, then the rule need not be executed.

21. (WITHDRAWN) The system of claim 19, wherein if the rule does not have any selection criteria, then the rule need not be executed.

22. (WITHDRAWN) The system of claim 19, wherein if the selection criteria are objectively invalid, then the rule need not be executed.

23. (WITHDRAWN) The system of claim 16, wherein the selector function dynamically generates SQL statements to select the accounts and events from the database using the selection criteria.

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24. (WITHDRAWN) The system of claim 23, wherein the selector function uses one or more parameterized templates to dynamically generate the SQL statements.

25. (WITHDRAWN) The system of claim 24, wherein the selection criteria are converted and combined so that they can be expressed in one of the parameterized templates.

26. (WITHDRAWN) The system of claim 25, wherein one or more relational operators in the selection criteria are converted into an equivalent BETWEEN operation.

27. (WITHDRAWN) The system of claim 25, wherein a matching pair of first and second selection criteria are converted into a BETWEEN operation.

28. (WITHDRAWN) The system of claim 24, wherein the selection criteria are grouped in order to combine them in the dynamically generated SQL statements.

29. (WITHDRAWN) The system of claim 16, wherein the selector function groups a plurality of selection criteria together and processes the grouped selection criteria in parallel to generate a plurality of output tables.

30. (WITHDRAWN) The system of claim 29, wherein the output tables are filtered and combined to produce correct sets of the account and event attributes.

31. (WITHDRAWN) An article of manufacture embodying logic for performing financial processing in a computer, comprising:

(a) selecting accounts and events from a database through parallel processing of a selector function, wherein the selector function uses one or more selection criteria to determine which accounts and events should be selected from the database; and

(b) performing one or more profitability calculations in the computer using attributes of the accounts and events selected from the database.

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32. (WITHDRAWN) The article of manufacture of claim 31, wherein the selector function performs parallel processing of the selection criteria, which allows the selector function to optimize the selection of the accounts and events.

33. (WITHDRAWN) The article of manufacture of claim 31, wherein the selection criteria are selected from a group comprising: Product Groups, Balance Types, Account Event Groups, Master Account Event Groups, Account Attributes, and Master Account Attributes.

34. (WITHDRAWN) The article of manufacture of claim 31, wherein the profitability calculations use one or more rules applied to the attributes, and the performing step (b) further comprises screening the rules to remove the rules that need not be executed.

35. (WITHDRAWN) The article of manufacture of claim 34, wherein if the rule is an apportionment rule, and an apportionment amount is 0, then the rule need not be executed.

36. (WITHDRAWN) The article of manufacture of claim 34, wherein if the rule does not have any selection criteria, then the rule need not be executed.

37. (WITHDRAWN) The article of manufacture of claim 34, wherein if the selection criteria are objectively invalid, then the rule need not be executed.

38. (WITHDRAWN) The article of manufacture of claim 31, wherein the selector function dynamically generates SQL statements to select the accounts and events from the database using the selection criteria.

39. (WITHDRAWN) The article of manufacture of claim 38, wherein the selector function uses one or more parameterized templates to dynamically generate the SQL statements.

40. (WITHDRAWN) The article of manufacture of claim 39, wherein the selection criteria are converted and combined so that they can be expressed in one of the parameterized templates.

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41. (WITHDRAWN) The article of manufacture of claim 40, wherein one or more relational operators in the selection criteria are converted into an equivalent BETWEEN operation.

42. (WITHDRAWN) The article of manufacture of claim 40, wherein a matching pair of first and second selection criteria are converted into a BETWEEN operation.

43. (WITHDRAWN) The article of manufacture of claim 39, wherein the selection criteria are grouped in order to combine them in the dynamically generated SQL statements.

44. (WITHDRAWN) The article of manufacture of claim 31, wherein the selector function groups a plurality of selection criteria together and processes the grouped selection criteria in parallel to generate a plurality of output tables.

45. (WITHDRAWN) The article of manufacture of claim 44, wherein the output tables are filtered and combined to produce correct sets of the account and event attributes.

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